

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BRUCE WOODS,	:	
	:	
Petitioner,	:	Case No. 1:00cv803
	:	
vs.	:	Magistrate Judge Black
	:	
WANZA JACKSON, Warden,	:	Judge Spiegel
	:	
Respondent.	:	

***RESPONDENT JACKSON'S MEMORANDUM CONTRA
WOODS' MOTION FOR SUMMARY JUDGMENT***

On April 4, 2005, the parties to this federal habeas action submitted a proposed joint scheduling order in which it was agreed that final briefs would be filed by the parties by July 1, 2005. Rather than file a final brief, Petitioner has submitted a pleading labeled as a "motion for summary judgment". For reasons stated in Respondent's final brief, not only is Woods **not** entitled to summary judgment, but in fact this case should be dismissed forthwith.

Respectfully submitted,

JIM PETRO
Attorney General

s/Stuart A. Cole
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CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2005, a copy of the foregoing *Respondent's Memorandum Contra Woods Motion for Summary Judgment* was electronically filed. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Stuart A. Cole
Stuart A. Cole
Assistant Attorney General